



Richmond, Texas 77407. *See* Exhibit “A - 1”. Plaintiffs demanded a trial by jury in their Original Petition. *See* Exhibit “A - 1.”

3. A citation was issued and State Auto Property & Casualty Insurance Company was served on December 21, 2016. *See* Exhibit “A – 4” and Affidavit of Julie Corbett attached as Exhibit “B”. State Auto files this Notice of Removal within the 30-day time period required by 28 U.S.C. §1446(b). *Bd. of Regents of Univ. of Tex. Sys. v. Nippon Tel. & Tel. Corp.*, 478 F.3d 274, 278 (5th Cir. 2007). State Auto files its Answer in this Court, contemporaneously with the filing of this Notice. State Auto demands a trial by jury in this Court.

4. Plaintiffs have not filed any amended pleadings and no additional parties have been joined. The State Court’s Docket Sheet is attached as Exhibit “A – 6.”

## II. REMOVAL BASED ON DIVERSITY JURISDICTION

5. Pursuant to 28 U.S.C. §1332(a), State Auto removes this case as it involves a controversy between parties of diverse citizenship and an amount in controversy that exceeds \$75,000.

6. Plaintiffs are citizens of Texas. *See* Exhibit “A - 1”. State Auto Property & Casualty Insurance Company is a foreign corporation organized under the laws of the state of Iowa with its principal place of business located at 518 E. Broad Street, Columbus, Ohio 43215. *See* Exhibit “B.”

7. Additionally, the amount in controversy exceeds \$75,000, excluding interest and costs. 28 U.S.C. §1332(a). Plaintiffs’ Original Petition seeks “monetary relief over \$100,000 but not more than \$200,000.” *See* Exhibit “A – 1.”

8. State Auto is the only defendant in this action; therefore, no consent is needed for the removal of this case to federal court.

9. An Index of Exhibits is attached as Exhibit "A". Copies of all pleadings, process, orders, and other filings in the State Court Action are attached to this notice as Exhibits "A - 1" through "A - 6", as required by 28 U.S.C. §1446(a). A list of the counsel of record for all parties, as required by Local Rule 81.6 is attached as Exhibit "C."

10. Venue is proper in this district under 28 U.S.C. §1441(a) because the state court where the suit has been pending is located in this District and within this Division.

11. State Auto will promptly file a copy of this Notice of Removal with the clerk of the court in the pending State Court Action.

**III.**  
**JURY DEMANDED**

12. State Auto requests that this matter be heard by a jury in this Court.

**IV.**  
**PRAYER**

WHEREFORE, PREMISES CONSIDERED, Defendant, State Auto, prays that this case be removed to the United States District Court for the Southern District of Texas, Houston Division, and that further proceedings in the State Court Action be discontinued, and that this Court assume full jurisdiction over such action as provided by law.

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Respectfully submitted,

/s/ Sterling Elza

Sterling Elza

Attorney-In-Charge

State Bar No. 24026823

Southern District of Texas Bar No. 1043963

Alicia A. Murphy

State Bar No. 24095005

Southern District of Texas Bar No. 2717568

306 West 7th Street, Suite 200

Fort Worth, Texas 76102-4905

Tel: 817/332-1391

Fax: 817/870-2427

Email: [selza@browndean.com](mailto:selza@browndean.com)

[amurphy@browndean.com](mailto:amurphy@browndean.com)

**ATTORNEY FOR DEFENDANT,  
STATE AUTO PROPERTY & CASUALTY  
INSURANCE COMPANY**

**CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the above and foregoing was served upon the Plaintiffs by serving their counsel of record, Jesse S. Corona, The Corona Law Firm, PLLC, 521 N. Sam Houston Pkwy E, Suite 420, Houston, Texas 77060, (713) 678-0613, via fax and certified mail, return receipt requested, on this the 13th day of January, 2017.

/s/ Sterling Elza

Sterling Elza